

14

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED

JAN 27 2010
CLERK'S OFFICE
U. S. DISTRICT COURT
EASTERN MICHIGAN

ATUL C. SHAH,

Plaintiff,

Case No. 2:09-cv-14038

vs.

HON. MARIANNE BATANNI

THE GENERAL MOTORS
COMPANY, et al.,

Defendant.

_____ /

PLAINTIFF'S RESPONSE TO
SHOW CAUSE ORDER

Plaintiff responds to the Show Cause Order to Dismiss for Lack Of

Progress/Lack of Service as follows:

1. On June 11, 2008, I was discriminated against by General Motors when I was wrongfully terminated from my job as a Contract Medical Physician for General Motors because of my religion, race, nationality, age, and gender and retaliation for having filed a previous EEO Complaint which I later withdrew.
2. I spoke with my son (who is highly educated), friends and colleagues about my situation and learned that I should contact the Equal Employment Opportunity Commission and discuss my options with them.
3. I set up an appointment for December 4, 2009, and, at that appointment, I was formally interviewed by an intake worker, explained the EEOC process, informed of my rights, and was told that the matter would be thoroughly investigated by the EEOC. I provided extensive, detailed documentation of events, dates, times, individuals involved and witnesses.

4. I requested a list of attorneys by the EEOC who specialize in these types of cases, including Sue Gordon and others whom I contacted.
5. A friend recommended Attorney John Parnell, whom I met at his office in St. Clair Shores in Macomb County. He stated that he would investigate the facts of my case and determine if it was meritorious and if he would review the statutes and requirements, and let me know if he could handle my case. Then we would discuss his retainer and likely cost of pursuing this. He advised to continue the EEOC Complaint while he looked into the matter.
6. Because Mr. Parnell did not specialize in this type of lawsuit, he said he would have to put in a lot of work just to learn the nuances of pursuing the case and suggested I get an attorney who actually specialized in this area. I am still contacting attorneys on the referral list to represent me but They want an hourly agreement which I am not able to afford. I have a Learned of a few attorneys who may do the case on a "contingency" agreement.
7. EEOC, after several months ostensibly investigating the case, notified me that my EEOC complaint was being dismissed because its investigation could not substantiate the discrimination. All that was done, was contact GM and they said they did not discriminate.
8. EEOC informed me of what I could do to pursue my case, and told me That before I file a lawsuit, I must have a Right To Sue Letter, which I requested and they issued for me.
9. Without the benefit of an attorney, I did file my Complaint with this Court not long after I received my Right To Sue Letter. I paid the filing Fee and was told that I was all set.
10. I looked up the information on serving the Defendants and discovered I could not do so without a Summons for each Defendant.
11. I called the Clerk of the Court who verified this and said that I could get the Summons on line but would have to have them signed by the Clerk for them to be effective.

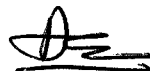
12. On December 23, 2009, I went to the Clerk and she Issued me my Two Summonses for the Defendants.

13. BOTH DEFENDANTS HAVE IN FACT BEEN SERVED.

14. I served the GENERAL MOTORS COMPANY a/k/a LIQUIDATED MOTORS COMPANY, formerly known as the GENERAL MOTORS CORPORATION via their resident agent THE CORPORATION BUREAU, IN FRANKLIN, MICHIGAN BY CERTIFIED MAIL FROM THE WARREN POST OFFICE ON DECEMBER 31, 2009 at 3:04 p.m. [EXHIBIT "A"; on line Postal Service confirmation of delivery of certified mail.]

15. My Summons and Complaint were delivered and accepted by the Corporation Bureau for GENERAL MOTORS on January 4th, 2009 at 10:27 a.m. [See Exhibit "A"].

16. I served the served the BASHEN CORPORATION on the same date and from the same Post Office in Warren, Michigan, I served GENERAL MOTORS, December 31, 2009, at 3:15 p.m. by mailing the Summons and Complaint, by Certified Mail to their principal office in Houston, Texas. [See Exhibit "C"]

B & B-1 

17. On January 5th, 2010, at 2:15, my Summons and Complaint were delivered and received by the BASHEN CORPORATION.

18. On January 11th, 2009, I received a letter from attorneys for General Motors Company, informing me that General Motors was in the Bankruptcy Court in New York State and therefore I was precluded from proceeding in any lawsuit in this Court or any other Court against General Motors and was instead left to the jurisdiction of the U.S. Bankruptcy Court in New York. [Exhibit "D"].

19. I have since receiving the letter, had verbal, faxed, and mail communication with the Attorneys for General Motors, and having Read the statutes cited for the automatic stay and being assured by Attorney Briana N. Benfield, of WEIL, GOTSHAL & MANGES, LLP, attorneys for General Motors that I would be listed on the bankruptcy MATRIX for General Motors, and I would have my case heard in the Bankruptcy Court

Through established arbitration proceedings, I am persuaded that they are Correct and my case against should be dismissed due to the Automatic Stay Provisions applicable to GENERAL MOTORS as a debtor in current bankruptcy proceedings. I told her that I would get the case dismissed but I would need more than five days to do so. She also agreed that she was only interested in my claims against GENERAL MOTORS being dismissed and Her request had nothing to do with BASHEN CORPORATION which is not an affiliate of any kind with GENERAL MOTORS.

20. On January 22nd, 2010, I received a Fax Transmission from Attorney Briana Benfield in which she has confirmed to me that I am now on the GENERAL MOTOTS Bankruptcy Matrix as a Creditor...along with other Information about the arbitration proceedings that will be available to me In the Bankruptcy Court. [Exhibit "E"].

21. The BASHEN CORPORATION is a Defendant totally distinct from General Motors and is not involved in bankruptcy proceedings.

22. Confusion came as to the identity and nature of the BASHEN CORPORATION, when, in the EEOC Disposition of my case, they listed GENERAL MOTORS CORPORATION as the Respondent, in care of THE BASHEN CORPORATION.

23. This led me to believe that BASHEN CORPORATION was affiliated with GENERAL MOTORS, which I had alleged in my Complaint.

24. I searched on the internet for the BASHEN CORPORATION and they Were not listed as a Michigan Corporation or a Corporation doing business In Michigan.

25. I searched with the State Bureau in Texas and learned that they were not listed as a Corporation doing business in Texas.

26. I searched for the BASHEN TEXAS located at the Texas address provided on the Disposition sheet from EEOC and learned that they sub Contract to do investigations for the EEOC.

23. On January 22nd, 2010, I received a letter from attorneys for the BASHEN CORPORATION, Law Offices of Lipson, Nelson, Cole,

Seltzer, Garin, P.C., stating they had been retained by BASHEN CORPORATION to represent them in my case against them in your court. [Exhibit "F"].

27. I have also attached my Summons Return for each of the Defendants.

28. YOUR HONOR, I HAVE NOT ONLY PROOF THAT THE DEFENDANTS HAVE BEEN TIMELY SERVED BUT THAT I HAVE BEEN CONTACTED BY ATTORNEYS RETAINED BY THEM TO REPRESENT THEM IN THIS CASE.

29. I agree to voluntarily dismiss the case against GENERAL MOTORS Due to their Bankruptcy, their Automatic Stay Provisions, and the fact that they have kept their word to me to List me on the bankruptcy schedules (which they now have) and to permit me to pursue my claim in the Bankruptcy Court, which they have shown me they are doing. Please take into account all the work done on this case and Order a Voluntary Dismissal of my Claims on those grounds rather than the grounds of Lack Of Progress/Failure To Serve. This means a lot to me.

30. This Court still has jurisdiction over the Bashen Corporation which is a Texas Corporation, employed as an independent contractor by the Equal Employment Opportunity Commission as an investigator for Civil Rights Complaints.

31. The Bashen Corporation failed to conduct any investigation into my case and therefore I was again deprived of due process of law by this Defendant again because of my race and my religion. My EEO Complaint was dismissed summarily because this "investigator" decided, without investigating the case, that it had no merit.

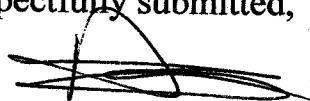
32. I ask that I be provided to amend my complaint against BASHEN CORPORATION to add other claims, if necessary.

WHEREFORE, I PRAY THAT THIS HONORABLE COURT WILL NOT DISMISS MY CASE BECAUSE OF LACK OF PROGRESS/ FAILURE TO SERVE, BUT RATHER THAT YOU WILL GRANT MY REQUEST FOR VOLUNTARY DISMISSAL OF ALL MY CLAIMS

AGAINST GENERAL MOTORS COMPANY, formerly known as the LIQUIDATED MOTORS CORPORATION formerly known as GENERAL MOTORS CORPORATION ONLY, due to the Bankruptcy Proceedings In Which Debtor is engaged, specifically, and the Automatic Stay Provisions of the U.S. Bankruptcy Code.

AND FURTHER THAT YOU PERMIT ME TO CONTINUE MY CLAIMS AGAINST BASHEN CORPORATION BECAUSE THEY HAVE IN FACT BEEN SERVED AND, WHILE THEIR ATTORNEYS HAVE NOT FILED AN APPEARANCE WITH THE COURT, THEY HAVE RESPONDED TO ME IN WRITING STATING THAT THEY HAVE BEEN RETAINED TO REPRESENT BASHEN CORPORATION IN THIS MATTER.

Respectfully submitted,



Atul C. Shah, Plaintiff

January 23, 2010

PROOF OF SERVICE

On this the 25th day of January, 2010, I did furnish a true and accurate copy Of the above Plaintiff's Response To Show Cause Order, by mailing same to The respective attorneys who have contacted me as representing these defendants in writing sent to their respective office addresses, postage fully prepaid, by ordinary mail.

Respectfully submitted,



Atul C. Shah, Plaintiff

January 23, 2010

Exhibit-A



[Home](#) | [Help](#) |
[Sign In](#)

[Track & Confirm](#)

[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 7009 1410 0000 6168 7684

Class: **First-Class Mail®**

Service(s): **Certified Mail™**

Status: **Delivered**

Your item was delivered at 10:27 AM on January 4, 2010 in FRANKLIN, MI 48025.

Detailed Results:

- **Delivered, January 04, 2010, 10:27 am, FRANKLIN, MI 48025**
- **Arrival at Unit, January 04, 2010, 7:02 am, SOUTHFIELD, MI 48037**
- **Acceptance, December 31, 2009, 3:04 pm, WARREN, MI 48090**

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

[Site Map](#)

[Customer Service](#)

[Forms](#)

[Gov't Services](#)

[Careers](#)

[Privacy Policy](#)

[Terms of Use](#)

[Business Customer Gateway](#)

Copyright© 2010 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA

Exhibit - B



[Home](#) | [Help](#) |
[Sign In](#)

[Track & Confirm](#)

[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 7009 1410 0000 6168 7707

Class: **First-Class Mail®**

Service(s): **Certified Mail™**

Status: **Delivered**

[Track & Confirm](#)

Enter Label/Receipt Number.

Your item was delivered at 2:15 PM on January 5, 2010 in HOUSTON, TX 77057.

[Go >](#)

Detailed Results:

- **Delivered, January 05, 2010, 2:15 pm, HOUSTON, TX 77057**
- **Acceptance, December 31, 2009, 3:05 pm, WARREN, MI 48090**

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email.

[Go >](#)

[Site Map](#)

[Customer Service](#)

[Forms](#)

[Gov't Services](#)

[Careers](#)

[Privacy Policy](#)

[Terms of Use](#)

[Business Customer Gateway](#)

Copyright© 2009 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA



Exhibit-B-1

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$ 1.22
 Certified Fee \$ 2.80
 Return Receipt Fee (Endorsement Required) \$ 0.00
 Restricted Delivery Fee (Endorsement Required) \$ 0.00
 Total Postage & Fees \$ 4.02

Sent To General Motors Company
 Street, Apt. No. or PO Box No. 1616 South Voss, Ste 300
 City, State, ZIP+4 Houston, Texas 77057

PS Form 3800, August 2006 See Reverse for Instructions

2022 8979 0000 0147 6002

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$ 1.22
 Certified Fee \$ 2.80
 Return Receipt Fee (Endorsement Required) \$ 0.00
 Restricted Delivery Fee (Endorsement Required) \$ 0.00
 Total Postage & Fees \$ 4.02

Sent To General Motors Company
 Street, Apt. No. or PO Box No. 30600 Telegraph Rd, Ste 345
 City, State, ZIP+4 Birmingham, MI 48025

PS Form 3800, August 2006 See Reverse for Instructions

4892 8979 0000 0147 6002

Exhibit - D

WEIL, GOTSHAL & MANGES LLP

1300 I STREET, N.W.
SUITE 900
WASHINGTON, D.C. 20005
(202) 682-7000
FAX: (202) 857-0940

AUSTIN
BEIJING
BOSTON
BUDAPEST
DALLAS
DUBAI
FRANKFURT
HONG KONG
HOUSTON
LONDON
MIAMI
MUNICH
NEW YORK
PARIS
PRAGUE
PROVIDENCE
SHANGHAI
SILICON VALLEY
WARSAW

DIRECT LINE
202-682-7206
brianna.benfield@weil.com

January 7, 2010

BY FEDEX

Atul C. Shah
2884 Manorwood Drive
Troy, MI 48085

Re: **Atul C. Shah v. General Motors Company and Bashen Corporation**

Dear Mr. Shah:

I write to inform you that on June 1, 2009, (the "Commencement Date"), Motors Liquidation Company (f/k/a General Motors Corporation) ("MLC") and certain of its subsidiaries filed voluntary petitions seeking bankruptcy protection under chapter 11 of title 11 of the United States Code (the "U.S. Bankruptcy Code") in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court"). The chapter 11 cases have been consolidated for procedural purposes and bear case no. 09-50026 (REG). Enclosed herewith is a copy of MLC's chapter 11 petition.

Your attention is directed to section 362(a) of the U.S. Bankruptcy Code, entitled "Automatic Stay." Pursuant to section 362(a) of the U.S. Bankruptcy Code, an automatic stay went into effect on the Commencement Date, prohibiting the commencement or continuation of any actions or proceedings against the Debtors. The automatic stay expressly prohibits the following:

the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding

VEIL, GOTSHAL & MANGES LLP

Atul C. Shah
January 7, 2010
Page 2

against the debtor that was or could have been commenced before the commencement of the case under [the Bankruptcy Code.]

11 U.S.C. § 362(a)(1).

Accordingly, the above-captioned action was filed in violation of the automatic stay. All actions taken in violation of the automatic stay are void and, pursuant to established case law, parties may be held in contempt of court for violating the automatic stay. See, e.g., Bartel v. Eastern Airlines, 133 F.3d 908 (2d cir. 1998); Fidelity Mortgage Investors v. Camelia Builders, Inc., 550 F.2d 47 (2d cir. 1976), cert. denied, 429 U.S. 1093 (1977). In light of the foregoing, Motors Liquidation Company requests that you withdraw the complaint filed against it and confirm that you have done so within five business days. Motors Liquidation Company reserves all rights and remedies.

If you have any questions with respect to the foregoing, please do not

Very truly yours,



Brianna N. Benfield

Enc.

WEIL, GOTSHAL & MANGES LLP

FAX COVER PAGE

1300 I Street, N.W., Suite 900, Washington, DC 20005

Main Phone: (202) 682-7000

Main Fax: (202) 857-0940

Second Fax: (202) 857-0939

TOTAL
PAGES:

9

DATE: January 22, 2010

PLEASE SEND:

☐ IMMEDIATELY ☒ ASAP

SENDER'S DIRECT DIAL:

202-682-7206

(including this page)

FROM: Brianna Benfield

EMAIL: brianna.benfield@weil.com

PLEASE DELIVER TO:

FAX NUMBER:

PHONE NUMBER:

1. Atul Shah

586-731-7209

COMMENTS:

Re: Motors Liquidation Company (f/k/a General Motors Corporation)

Dr. Shah:

As requested in your letter dated January 15, 2010, enclosed is a copy of the page on which you are listed in Motors Liquidation Company's creditor matrix. Also attached is the affidavit of service indicating that you were served with the Notice of Bar Dates for Filing of Proofs of Claim and a Proof of Claim form in September 2009.

If you do not receive legible copies of all pages, please contact the Telecopy Department at (202) 682-7087 or the Sender.

ATTY. NO.: 5560

CLIENT/MATTER NO.:

ROOM NO.:

PREPARED BY: Carolyn

TRANSMITTED BY:

DATE:

COMPLETED TIME:

☐ AM ☐ PM

RECEIVED

This facsimile message is intended only for use of the individual or entity name above, and may contain confidential and/or legally privileged information. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the postal service. Thank You.

REFERENCE #

TO

Name	Address1	Address2	Address3	City	State	Zip
SHAFT JR, HENRY I	211 N HARRISON ST			SAGINAW	MI	48602-4230
SHAFT, ART-UR ALBERT	3519 SNOWY LN			SAGINAW	MI	48601-7054
SHAFT, CLARE L	514 FREMONT ST			FLINT	MI	48604-4508
SHAFT, GEORGIA A	1249D RUPPERT RD			PERRY	MI	48872-8527
SHAFT, JAMES R	733 N SHELTON ST			CHARLOTTE	MI	48813-1230
SHAFT, NANCY	5845 SWAN CREEK RD			SAGINAW	MI	48605-7072
SHAFT, TERI J	PO BOX 705			PERRY	MI	48872-8705
SHAFT, THOMAS A	5985 W US HIGHWAY 223			ADRIAN	MI	49221-8433
SHAFT, MARLIN N	1481 STEPHY ST			MILES	OH	44446-3735
SHAFT, STEVE D	20 BUENA VISTA WAY			NEW CASTLE	PA	16105-1201
SHAFTMAN, FRED	30 HIGHLAND VALLEY CT NW			ATLANTA	GA	30327-4880
SHAFTO, DOUGLAS A	PO BOX 245			LUTHER	MI	49856-0245
SHAFTO, LINDA M	55171 PARK PL			NEW HUDSON	MI	48105-9709
SHAFTO, ROBERT C	928 BEACHWAY DR			WHITE LAKE	MI	48383-2904
SHAFTO, ROBERT D	55171 PARK PL			NEW HUDSON	MI	48105-9709
SHAGENA, CLAYTON H	5778 WILDCAT RD			CLYDE	MI	48049-1315
SHAGENA, DONALD R	37 LINCOLN ST			OXFORD	MI	48371-3623
SHAGENA, DONALD S	2607 SPELMAN RD			ADRIAN	MI	49221
SHAGENA, HAROLD P	7244 SCHODOLCRAFT DR			OXFORD	MI	48371-3623
SHAGENA, JACK R	1701 BAY RD			DAVISON	MI	48423-2395
SHAGENA, JEFFREY M	3011 DUNLEER RD			OXFORD	MI	48371-2754
SHAGENA, JEFFREY MICHAEL	3011 DUNLEER RD			BALTIMORE	MD	21272-5106
SHAGENA, KYLE E	2607 SPELMAN RD			BALTIMORE	MD	21272-5106
SHAGENA, LEE C	25527 WEXFORD AVE			WARREN	MI	48091-4011
SHAGENA, RENAEL	62 W MAJOR ST			OXFORD	MI	48371-3623
SHAGENA, WENDEL J	74 E MAJOR ST			OXFORD	MI	48371-3623
SHAGOTT, ROBERT P	6352 PATCHIN RD			OXFORD	MI	48371-3623
SHAH	44105 15TH ST W STE 207			BOSTON	MA	02125-9161
SHAH	16007 SAGINAW ST	SUITE 1800		LANCASTER	CA	93514-0090
SHAH ALLIANCE GROUP LLC	15135 HAMILTON			FLINT	MI	48607
SHAH ALLIANCE GROUP LLC	6909 BRUNSWICK DR			HIGHLAND PARK	MI	48208
SHAH ALLIANCE GROUP LLC	6909 BRUNSWICK DR			TROY	MI	48065-1271
SHAH ALLIANCE GROUP LLC	ELMER LAFFE			TROY	MI	48065-1271
SHAH ALPESH	ELMER LAFFE			CLEVELAND	OH	44107
SHAH ATUL C MID	REVOOLUTIONARY SYSTEMS			SOUTH PLAINFIELD	NJ	07080-2414
SHAH BHUPENDRA	2888 MANDARINWOOD DR			TROY	MI	48065-1271
SHAH BHUPENDRA	3443 BRITTA AVE			FRANKLIN PARK	IL	60131-2029
SHAH BHUPENDRA V	3443 BRITTA AVE			FRANKLIN PARK	IL	60131-2029
SHAH BHUPENDRA V	3443 BRITTA AVE			FRANKLIN PARK	IL	60131-2029
SHAH BRENDA	14827 DRUID VALLEY DR NE			PARRINGTON HILLS	VA	48334-3255
SHAH BRENDA	2657 LENOX ROAD			LANCASTER	CA	93514-0090
SHAH, CHANDRACANT B	206 SAINT CLAIR CIR APT 1			PRINCETON JUNCTION	NJ	08550-1704
SHAH, CHIRAG V	39091 LADRONE AVE			WEST LAFAYETTE	IN	47995-2000
SHAH, CHONG-AL	8800 RHODODENDRON CT			TROY	MI	48064-3835
SHAH, CHRIS	4760 WALNUT CREEK CIR			ROCHESTER HILLS	MI	48313-5593
SHAH, CYNTHIA A	13039 COPPER LN			STERLING HEIGHTS	MI	48314-3184
SHAH, DEEPAK G	3955 RAYEN CIR			ROCHESTER HILLS	MI	48314-3184
SHAH, DHARMESH N	1874 TANNY LN			ATLANTA	GA	30329
				ATLANTA	GA	30324
				YORKTOWN	VA	23693-4170
				STERLING HEIGHTS	MI	48313-5593
				LORTON	VA	22079-5689
				WEST BLOOMFIELD	MI	48322-3493
				NOVI	MI	48377-4537
				JOVENOS	MI	48864-3813
				AVON	IN	46123-9059

JEFFREY T. NEILSON^{1,4}
STEVEN R. COLE
PHILLIP E. SELTZER¹
JOSEPH P. GARIN^{1,2,4}
THOMAS G. COSTELLO
DAVID B. DEUTSCH
HOWARD A. LAY
JOSEPH A. STARR
STEVEN H. MALACH
KAREN A. SMYTH¹
KAY RIVEST BUTLER
SCOTT D. STONER
C. THOMAS LUDDEN
STUART D. LOGAN
ALEX L. ALEXOPOULOS⁷
KIRSTEN E. GRAMZOW
STARR HEWITT KINCAID
SHAWN Y. GRINNEN
JASON M. SHINN
MARK E. PHILLIPS
SHANNON D. NORDSTROM⁵
SANDRA D. GLAZIER
DOUGLAS E. KELIN^{2,8}
ANDY L. EDMONDSON⁶
JAMES B. FAIRBANKS⁹

¹ ALSO ADMITTED IN NEVADA
² ALSO ADMITTED IN ILLINOIS
³ ALSO ADMITTED IN NEW YORK
⁴ ALSO ADMITTED IN COLORADO
⁵ ADMITTED NEVADA & CALIFORNIA ONLY
⁶ ADMITTED IN NEVADA ONLY
⁷ ALSO ADMITTED IN OHIO
⁸ ALSO ADMITTED IN FLORIDA
⁹ ADMITTED NEVADA & WASHINGTON ONLY

LAW OFFICES
Lipson|Neilson
COLE, SELTZER, GARIN, P.C.
Attorneys and Counselors at Law

3910 TELEGRAPH ROAD, SUITE 200
BLOOMFIELD HILLS, MICHIGAN 48302

TELEPHONE (248) 593-5000
TELEFAX (248) 593-5040
www.lipsonneilson.com

E-MAIL: Ala@lipsonneilson.com

January 19, 2010

BARRY J. LIPSON
(1955-2003)

OF COUNSEL

MICHAEL C. CURHAN
MICHAEL A. ROBBINS
ALBERT L. HOLTZ
BARRY L. HOWARD

GRAND RAPIDS, MICHIGAN

4808 BROADMOOR AVENUE SE
GRAND RAPIDS, MICHIGAN 49512
TELEPHONE (616) 575-9900

GROSSE POINTE FARMS, MICHIGAN

102 KERCHEVAL AVENUE
KERCHEVAL SUITES - SUITE 100
GROSSE POINTE FARMS, MICHIGAN 48236
TELEPHONE (313) 308-0003

LAS VEGAS, NEVADA

9580 WEST SAHARA AVE., SUITE 120
LAS VEGAS, NEVADA 89117
TELEPHONE (702) 382-1500

Atul C. Shah
2884 Manorwood Drive
Troy, Michigan 48085

Re: Shah v General Motors Company, et al.
Case No. 09-14038

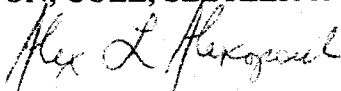
Dear Mr. Shah:

This law firm has been retained by Bashen Corporation to represent it in the above referenced lawsuit. This letter is sent to see whether you will voluntarily dismiss your claims against Bashen Corporation because your complaint fails to state a claim against Bashen Corporation, Bashen Corporation was not your employer and Bashen Corporation did not have any input whatsoever into General Motors Corporation's decision to terminate your contract employment on June 11, 2008. Please be advised that if we do not receive anything in writing from you by January 22, 2010 agreeing to dismiss your claims against Bashen Corporation, we will assume that you are not agreeing to voluntarily dismiss them and instead require us to file a motion with the Court.

Should you have any questions or comments regarding this matter, please do not hesitate to call.

Very truly yours,

LIPSON, NEILSON, COLE, SELTZER & GARIN, P.C.


Alex L. Alexopoulos

ALA/hsh